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September 15, 2015


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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

Agenda No. 6
04/28/15

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration #28 OF SEPTEMBER 15, 2015
500 West Temple Street
Los Angeles, California 90012


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

Re: **PROJECT NO. R2014-00768-(5)**
CONDITIONAL USE PERMIT NO. 2014-00032-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER

Dear Supervisors:

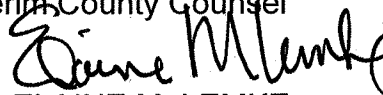
Your Board previously conducted a public hearing on the above-referenced project to authorize the sale of a full line of alcohol for off-site consumption for an existing market located at 2408 Lincoln Avenue, in the unincorporated community of Altadena.

At the conclusion of the hearing, you indicated your intent to approve the CUP and instructed our office to prepare findings and conditions for your approval. Enclosed are findings and conditions for your consideration.

Very truly yours,

MARY C. WICKHAM
Interim County Counsel

By


ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:


THOMAS J. BAUGHNAN
Senior Assistant County Counsel

EML:ph
Enclosures

c: Sachi A. Hamai, Interim Chief Executive Officer
Patrick Ogawa, Acting Executive Officer, Board of Supervisors

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. R2014-00768-(5)
CONDITIONAL USE PERMIT NO. 2014-00032-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing on April 28, 2015, in the matter of Project No. R2014-00768-(5) ("Project"), consisting of Conditional Use Permit No. 2014-00032-(5) ("CUP"). The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the Project on January 14, 2015.
2. The permittee, Walmart Stores, Inc. ("Walmart"), requests the CUP to authorize the sale of a full line of alcohol for off-site consumption at an existing neighborhood market ("Market" or "Project") located at 2408 Lincoln Avenue in the unincorporated community of Altadena ("Project Site") in the C-3 (Unlimited Commercial) zone pursuant to Los Angeles County Code ("County Code") section 22.28.210.
3. The Project Site is 1.79 acres in size and consists of one legal lot. The Project Site is rectangular in shape with flat topography and is developed with the existing Market.
4. The Project Site is located in the Altadena Zoned District and is zoned C-3.
5. The Project Site is located within the GC – General Commercial land use category under the Altadena Community Plan ("Community Plan"), a part of the County General Plan ("General Plan").
6. Surrounding Zoning within a 500-foot radius includes:

North:	C-3, R-3 (Limited Multiple Residence), R-2 (Two-family Residence), R-1-7500 (Single-Family Residence – 7,500 Sq. Ft. Minimum Required Area);
South:	C-3;
East:	C-3, R-1-7500; and
West:	C-3, R-1-7500.
7. Surrounding land uses within a 500-foot radius include:

North:	Vacant land, multi-family residences, single-family residences;
South:	Office, public storage;
East:	Vacant land, single-family residences, multi-family residences; and
West:	Commercial and retail uses, single-family residences, and multi-family residences.
8. The Project Site has been zoned C-3 since April 5, 1950. On September 27, 2007, Plot Plan No. 2007-00896 was approved for the conversion of the existing commercial structure on the site to a new Market for Walmart. On

September 27, 2010, Plot Plan No. 2010-00837 replaced Plot Plan No. 2007-00896 and approved additional tenant improvements and square footage for Walmart.

9. The site plan for the Project depicts the existing 28,200 square foot Market located on a 1.79-acre lot on the southeast corner of Lincoln Avenue and Figueroa Drive. The Market provides the required amount of parking under the County Code by providing 113 parking spaces (64 standard spaces, 44 compact spaces, and 5 disabled parking spaces). A total of 7,861 square feet of landscaping is provided on the site. The Market's shelf plan shows that the shelf space for the sale of alcoholic beverages will consist of 1.19 percent of the Market's total shelf space.
10. The Project Site is accessible via driveways on Lincoln Avenue to the west and Figueroa Drive to the north. Primary access to the Project Site will be via an entrance/exit on Lincoln Avenue and via an entrance/exit on Figueroa Drive.
11. The County Sheriff's Department ("Sheriff's Department"), Altadena Station, recommends approval of the Project because crime has not been a major problem at the Project Site based on the site's call-for-service history. The California Department of Alcoholic Beverage Control (ABC) reports that the subject property is located in a high crime reporting district and in a census tract that does not have an undue concentration of businesses with alcoholic beverage licenses.
12. Prior to the Commission's public hearing on the Project, staff of the Department of Regional Planning ("Regional Planning") determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involved the sale of alcoholic beverages in an existing Market with negligible or no expansion of use beyond that which was previously existing.
13. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
14. A duly-noticed public hearing was held by the Commission on January 14, 2015 for the Project. Walmart's agent was present to answer questions from the Commission. A representative of a neighboring liquor store and residents of the community testified in opposition to the Project. The liquor store's representative testified that allowing Walmart to sell alcohol would negatively impact the liquor store's business. Local residents reiterated that concern and stated that there are enough establishments in the neighborhood that sell alcohol. After Commission discussion, the Commission closed the public hearing and approved the CUP.

15. Pursuant to section 22.60.230 of the County Code, Jaeil and Sanhui Yoo appealed the Commission's approval to the Board.
16. At the Board's April 28, 2015, public hearing on the Project, Regional Planning staff briefly outlined the Project, explained that the Commission had unanimously approved the Project and that its approval was appealed to the Board by opponents of the Project. Staff recommended that the appeal be denied, that the Board uphold the Commission decision, and approve the CUP. Staff also reported that it received 31 letters in support of the Project, 14 letters in opposition, and a 164-signature petition that opposed the Project.
17. There were eight speakers at the Board's public hearing; four in favor of the Project, three opposed, and one who made general comments but did not indicate whether he opposed or supported the Project. Testimony of Project opponents focused on inappropriate messaging to children by allowing alcohol sale in a Walmart, and that allowing alcohol sales would lead to loitering and increased violence in the area. Among those testifying in favor of the Project were a representative of Walmart, a representative of the Altadena Town Council ("Town Council"), and an officer of the Windsor-Arroyo Neighborhood Association ("Neighborhood Association"). Walmart's representative identified policies and steps that Walmart takes to provide a safe and secure environment for customers and the surrounding community with respect to alcohol sales, such as cash register innovation, lighting, and parking lot patrols. The Town Council representative stated that the council found that sales of alcohol as part of a larger market such as Walmart was preferable to liquor stores that primarily focus on alcohol sales because the former would decrease loitering, provide better security, utilize better methods to prevent underage drinking, and locate alcohol displays away from the entrance to discourage theft. The officer of the Neighborhood Association testified that Walmart had been a good neighbor in a number of ways and that the Neighborhood Association expected Walmart to continue to be a good neighbor.
18. The Board finds that the Project Site is located within the GC land use category of the Community Plan. This land use designation is intended to permit a broad range of commercial services, including supermarkets. The proposed sale of a full line of alcohol beverages for off-site consumption at the existing Market fits the description of this land use designation.
19. The Board finds that the following policies of the General Plan are applicable to the proposed project:
 - Maintain and conserve sound existing development.
 - Maintain and reinforce the multifocused pattern of regional linear activity areas and centers.

The Project adds the sale of a full line of alcohol for off-site consumption to the existing Market and proposes no physical changes or alterations to the existing development. The Project will maintain the existing commercial and economic activity that the Market provides along Lincoln Avenue.

20. The Board finds that the following policies of the Community Plan are applicable to the Project:

- Preserve existing residential neighborhoods, commercial districts, community facilities, institutions, and environmental amenities.

The Project will add the sale of a full line of alcohol for off-site consumption to the existing Market and preserve the current commercial and economic benefit that the Market provides to the neighborhood.

21. The Boards finds that the Project complies with the following C-3 Zone development standards set forth in section 22.28.220 of the County Code:

- Building Net Area and Landscaping – The Project does not exceed the maximum allowed building net area of 90 percent and meets the minimum 10 percent landscaping requirement.
- Parking – Required parking at the Market is one parking space for every 250 square feet of floor area, which is 28,200 square feet. One hundred and thirteen parking spaces will be provided at the Project Site and thus meets this requirement.
- Outside Display and Outside Storage – The Project is not proposing any outdoor display or outside storage.

22. The Board finds that the Project complies with the development standards established by the Altadena Community Standards District ("CSD"), section 22.44.127 of the County Code.

23. The Board finds that the sale of alcoholic beverages at the existing Market is compatible with the surrounding neighborhood and provides a needed service to the community. Alcoholic beverage sales is allowed in the C-3 Zone with a CUP. Currently, there is one other establishment within a 500-foot radius of the subject property that sells alcohol. This establishment is a liquor store with a Type 21 license for a full line of off-site alcohol sales located across the street from the Project Site along Lincoln Avenue. Although this satisfies the standard for an undue concentration under County Code section 22.56.195, the Board finds that the sale of a full line of alcohol for off-site consumption at the Walmart would serve the convenience and necessity for the surrounding community and would not be located within 600 feet of any sensitive uses.

24. The Board finds that Walmart undertakes numerous measures and policies to ensure the safe sale of alcohol. Walmart implements a Responsible Vendor of

Alcohol Policy that includes technology, restricted hours of alcohol sales, training, monitoring, and termination of employees who violate alcohol policies. The sale of alcoholic beverages for off-site consumption is an ancillary use to the sale of groceries at the Market and the inventory of alcoholic beverages will be limited to 1.19 percent of the Market's total shelf space. The Walmart parking lot is continually monitored by employees and security personnel to discourage loitering and the Market maintains a strict policy prohibiting the consumption of alcohol on the premises.

25. The Board finds that the expansion and renovation of Walmart was approved by the County in July 2012 and the improvements were completed in March 2013. The Board further finds that the sale of alcohol at the Market does not impact the site beyond what was already approved in 2012 because the site and existing improvements will remain unchanged.
26. The Board finds that Walmart is located at the signalized intersection of Lincoln Avenue and Figueroa Drive and is appropriately served and accessed via public streets. The Project will not increase the current demand of public or private service facilities at the Project Site.
27. The Board finds that there are no sensitive uses located within a 600-foot radius of the Project Site.
28. The Board finds that residential properties to the east of the Project Site are buffered from the Market by the Market's parking lot, a six-foot-high block wall, and a landscaping buffer. There is no direct access from the Market to these residential properties. Residences to the north of the Market are buffered by Figueroa Drive, landscaping, and a decorative wall. To the south of the Market, office buildings are buffered by a six-foot-high block wall. Commercial uses to the west are buffered by Lincoln Avenue.
29. The Board finds that because the shelf space devoted to the sale of alcoholic beverages will be only 1.19 percent of the Market's total shelf space, it is unlikely that customers will shop at Walmart to purchase alcohol only. However, Walmart customers will find that the purchase of alcohol, along with other general merchandise and groceries, is a convenience. The public convenience and necessity outweighs the fact that Walmart is located within a 500-foot radius of another establishment that sells alcoholic beverages.
30. The Board finds that the proposed use will not adversely affect the economic welfare of the nearby community. The ability to sell alcohol will add to the customer's full-scale market experience by offering the same range of products and groceries as the Market's competitors. In addition to fresh groceries and general limited merchandise, Walmart typically carries a wide variety of alcoholic beverages.

31. The Board finds that the Project Site was recently renovated in late 2012 for occupancy by Walmart as a full-scale supermarket. The exterior appearance of the structure will remain unchanged from its current state. As renovated, the exterior appearance of the structure is consistent with other properties in the immediate neighborhood.
32. The Board finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 15 years.
33. The Board finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearings by mail, newspaper, and property posting. Additionally, notice of the Project hearing and case materials were provided on Regional Planning's website and at libraries located in the vicinity of the Altadena community.
34. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the Project Site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the Project Site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The Project Site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The Project Site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. The public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption outweighs the fact that it is located within a 500-foot radius of another facility selling alcoholic beverages for off-site consumption, and the shelf space devoted to alcoholic beverages is limited to not more than 5 percent of the total shelf space in the establishment.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

THEREFORE, THE BOARD:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
- 2. Approves Conditional Use Permit No. 2014-00032-(5), subject to the attached conditions.

**CONDITIONS OF APPROVAL
PROJECT NO. R2014-00768-(5)
CONDITIONAL USE PERMIT NO. 2014-00032-(5)**

1. This grant authorizes the sale of a full line of alcohol for off-site consumption (Type 21 License) at an existing market ("Walmart").
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 11. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 5, 6, and 10, shall be effective immediately upon the date of final approval of this grant by the County.
4. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to section 22.60.260 of the Los Angeles County Code ("County Code").
5. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000. There is no limit to the

number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code section 2.170.010.

7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. This grant shall terminate on the date that is fifteen (15) years after the date of final approval of this grant, and entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new conditional use permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
10. This grant shall expire unless used within two years from the date of final approval of the grant. A single one-year time extension may be requested in writing with the payment of the applicable fee prior to such expiration date.
11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$1,600. The deposit shall be placed in a performance fund, which shall be used exclusively to

compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for eight biennial (one every other year) inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
13. All development pursuant to this grant shall be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
14. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
15. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
16. The permittee shall maintain the subject property in a neat and orderly fashion and shall maintain free of litter all areas of the premises over which the permittee has control.
17. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of

notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

18. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, three copies of a modified Exhibit "A" shall be submitted to Regional Planning within 60 days of the date of final approval. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit three copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. This grant shall allow the sale of a full line of alcohol for off-site consumption at Walmart.
20. The conditions of this grant shall be retained on the premises at all times and shall be made available upon request of any County Sheriff, Zoning Inspector, or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
21. Loitering shall be prohibited on the subject property, including loitering by employees of the permittee.
22. The consumption of alcoholic beverages on the subject property shall be prohibited.
23. Signage in compliance with Part 10 of section 22.52 of the County Code shall be placed on the premises facing the premises parking lot(s) and shall read as follows:

NO LOITERING, NO LITTERING,

NO DRINKING OF ALCOHOLIC BEVERAGES

VIOLATORS ARE SUBJECT TO ARREST

The sign shall be at least 2 square feet in size with 2-inch block lettering. The sign shall be in English and Spanish. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.

24. The permittee and all managers and designated employees of the establishment who directly sell alcoholic beverages shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California

Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The permittee shall display a certificate or plaque in a publicly accessible area of the establishment indicating it has participated in this program. Proof of completion of the facilities' training program by employees, the licensee, and all managers shall be available upon request.

25. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure of the subject property including its windows, walls, fences, or similar structures. Interior displays of alcoholic beverages or signs which are clearly visible from the exterior of the premises shall constitute a violation of this condition.
26. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
27. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.
28. This grant authorizes the sale of alcoholic beverages from 8:00 a.m. to 10:00 p.m., seven days a week. These limited sales hours shall be programmed into the store's cash registers to restrict alcohol sales from 10:00 p.m. to 8:00 a.m., seven days a week.
29. No sale of alcoholic beverages shall be made from a drive-through window.
30. No display of alcoholic beverages shall be made from an ice tub.
31. The permittee shall display alcoholic beverages for sale only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit "A." No display of alcoholic beverages for sale shall be provided elsewhere on the premises. The shelf space devoted to the display of alcoholic beverages for sale shall be no more than 1.19 percent of the store's total shelf space as depicted in the approved shelf plan.
32. The premises shall have no coin-operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State lottery machines.
33. No alcoholic beverages shall be displayed for sale within five feet of the cash register or the front door unless it is in a permanently affixed cooler.
34. The sale of any individual, single container beer or malt beverage of any sized container is prohibited. There shall be no beer or malt beverages sold in less than six-pack quantities.

35. The sales of beer or malt beverages in container quantities of quarts, 22 ounces, 32 ounces, 40 ounces, or similar size containers is prohibited.
36. No malt liquor and/or malt based products with alcoholic content greater than 5 percent by volume shall be sold.
37. No wine shall be sold with an alcohol content of greater than 15 percent by volume except for "Dinner Wines" which have been aged two years or more and are maintained in corked bottles.
38. No wine shall be sold in containers of less than 750 milliliters, with the exception of wine coolers. No miniatures of any type shall be sold. Wine coolers and pre-mixed distilled spirit cocktails shall not be sold in less than four-pack quantities.
39. The permittee shall provide adequate lighting above all entrances and exits to the premises and in all parking areas and walkways under control of the permittee or required as a condition of this grant.
40. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties and shall be turned off within 30 minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.
41. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.